

**CITY COUNCIL MEETING OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY,  
TEXAS, FEBRUARY 17, 2009**

The City Council of the City of Leon Valley, Texas, met on the 17<sup>th</sup> day of February 2009 at 5:30 p.m. at the Leon Valley City Council Chambers, at 6400 El Verde Road, Leon Valley, Texas, for the purpose of the following business, to-wit:

**SPECIAL CITY COUNCIL WORKSHOP MEETING - 5:30 P.M.**

**Call to order and Pledge of Allegiance.**

Mayor Riley called the meeting to order at 5:35 p.m. and asked that the minutes reflect the following members of Council were present: Reyna, Baldrige, Dean, and Nelson. She also announced that Councilman Manea would be arriving later.

City Manager Lambert, City Secretary Feutz, City Accountant Wallace, Fire Chief Irwin, Police Chief Wallace and City Attorney McKamie were also present.

**Presentation by Anne Burger Entrekin, of First Southwest Company and discussion on finance options for paying off Refunding Bonds, Series 2006 and the issuance of debt for the purchase of a new fire truck.**

Mayor Riley explained to that the presentation was a result of Council's request for a workshop to more fully consider finance options .

Anne Burger Entrekin, of First Southwest Company, provided information to the Council on the "Bond Buyer's Index of 20 Municipal Bonds since 1987 and information on the AAA Insured Municipal Yield Curve for 1 year - 20 year notes with interest rates for the periods of February 2006, 2007, 2008, and 2009. Ms. Entrekin provided a projected analysis summary, as of February 12, 2009, based on par amounts of bonds of \$1,060,000 at a 4% true interest cost that would have an average annual debt service of \$78,296, and a 20-year amortization period for the loan. She also presented graphs and charts illustrating a projected tax rate analysis with and without a pay off of the Series 2006 Refunding Bonds. Ms. Entrekin explained the three ways to access the capitol markets: private placement, competitive bond sales, or a negotiated bond sale and she stated that the negotiated bond sales method has provided the best rate in the current market.

Council discussed moving forward with obtaining financing for the fire truck now and asked if the economic stimulus bill program would affect the rates and financing availability for the City. Discussion also considered if it was more advantageous to pay off the balance owed on the Series 2006 Refunding Bonds or to use that hotel occupancy tax (HOT) revenue to make improvements at the Conference Center. Options to consider refinancing the Series 2006 Bonds versus paying them off and what course of action would be most cost effective were also discussed.

Councilmembers asked about seeing a return on investment compared to the savings with any large expenditure of the HOT revenues. Ms. Entrekin expressed her opinion that if the moneys could be obtained to meet the City's need with a low rate now, it may be prudent to move forward.

Discussion continued on what would be the best option for the City to pay off debt on the Conference Center, finance the new fire truck, and pay for renovations to the Conference

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Center. Councilmembers raised questions as to whether improvements to the Conference Center will provide a good return on the investment and the need for a good construction cost estimate so that the return on the investment can be compared to savings.

Ms. Entrekin explained differences between Certificates of Obligation and Personal Property Financial Contractual Obligation (PPFCO) and she recommended that the City consider the PPFCO if they are only financing the fire truck as the PPFCO is used only for personal property and has no public notice requirements other than the 72-hour meeting notice. She estimated that if Council gave First Southwest the authority to go out into the market to find the funding for the fire truck; she would need about 30 days to research and identify the funding and then the City would close in about another 30 days after that date.

Councilmembers asked for a survey to be done on what other centers are leasing similar facilities for and for a history of rentals over the last year including the number of days rented over the last year.

**Adjourn.**

Hearing no further discussion, a motion was made by Councilman Reyna, seconded by Councilmember Dean to adjourn the workshop meeting. Mayor Riley announced the workshop adjourned at 6:40 p.m.

**REGULAR CITY COUNCIL MEETING - 7:00 P.M.**

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**Call to order and Pledge of Allegiance.**

Mayor Riley called the meeting to order at 7:00 p.m. and asked that the minutes reflect all members of Council were present: Manea, Reyna, Baldridge, Dean, and Nelson.

City Manager Lambert, City Secretary Feutz, City Accountant Wallace, Fire Chief Irwin, Police Chief Wallace, and City Attorney McKamie were also present.

Mayor Riley asked Councilman Manea to lead the assembled group in reciting the pledge of allegiance.

**Citizens to be heard and time for objections to the Consent Agenda.**

Mayor Riley asked Councilmembers if they wished for anything on the Consent Agenda to be removed from that agenda for further discussion. Councilman Reyna asked that Consent Agenda Items # 5 and #6 be removed for discussion, and Councilmember Nelson asked that Consent Agenda Item # 4 be removed for further discussion. Hearing no further requests, Mayor Riley then asked if anyone in the audience wished to address the Council.

Resident Pete West addressed Council asking for them to reconsider installing speed humps for Poss Road to slow speeding traffic on that street.

Seeing no one else to come forward for the "Citizens to be heard" portion of the meeting, Mayor Riley asked for a motion to approve the following Consent Agenda items:

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**Consent Agenda**

**Consider action to approve minutes of the Regular City Council Meeting of  
February 3, 2009 (Feutz).**

**Consider action on Ordinance appointing a member to the Earthwise Living  
Committee (Mayor Riley).**

A motion was made by Councilman Reyna, seconded by Councilmember Dean, to approve the Consent Agenda Items # 3 and # 7 as listed above. Upon vote, Mayor Riley announced that the motion carried and Consent Agenda items described above were approved.

**Consider action on a resolution of support for Leon Valley to be included as an Affiliate  
City with the Texas Round-Up Health and Fitness Initiative program (Mayor Riley).**

Mayor Riley stated that the Resolution of support followed meetings with the Volksmarch organizer Ellen Ott and a representative from the Texas Round-Up Health and Fitness Initiative Program. She stated that the programs were just one way to promote health and fitness in the City and the Round-Up program tied nicely to the Volksmarch activity. Councilmember Nelson expressed her support for the Texas Roundup health and fitness initiative and recommended that the banner to be provided by the Texas Round-Up program be requested in time for the volksmarch to help publicize the event.

Councilman Reyna asked about any fiscal impact this would have on the City and Mr. Lambert explained there was none. The Councilman asked that all actions include fiscal impact information in the future.

Following short discussion, a motion was made by Councilman Reyna, seconded by Councilmember Baldrige, to approve the resolution to have Leon Valley included as an Affiliate City with the Texas Round-Up Health and Fitness Initiative program.

**Consider action on an ordinance whereby council formally levies the economic  
development sales and use tax of one eighth of one percent as approved by the voters  
in the Special Election of November 4, 2008 (McKamie).**

Councilman Reyna asked why the City was asking for an ordinance to levy the taxes when the State Comptroller had already notified the City that the tax collection would begin in April 2009.

City Attorney McKamie answered that the Comptroller did not require the ordinance, but common law did; therefore, he explained that this was a housekeeping measure.

A motion was made by Councilman Reyna, seconded by Councilmember Dean, to approve the ordinance requested levying the sales tax for economic development of one-eighth of one percent as approved by the voters in the November 4, 2008 Special Election. Upon unanimous vote, Mayor Riley announced the motion carried and the ordinance approved.

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**Consider action an ordinance whereby council formally ratifies and levies the street repair and maintenance sales and use tax of one fourth of one percent as approved by the voters (McKamie).**

A motion was made by Councilman Reyna, seconded by Councilmember Dean, to approve the ordinance as requested for the street repair and maintenance sales and use tax of one-fourth of one percent as approved by the voters. Upon unanimous vote, Mayor Riley announced the motion carried and the ordinance was approved.

**Discussion Agenda**

**Discussion on pursuing a once-a-week refuse collection option from Waste Management Inc.(Lambert/Perez - Waste Management, Inc.).**

City Manager Lambert reported that he had asked Waste Management representative Albert Perez to return with rate information should Council decide to move to once weekly garbage and recycling pickup in the City. He reminded Council that Mr. Perez had brought information to Council during the January 6, 2009 City Council Meeting regarding options for this change in service and that Mr. Perez would provide more details now.

Mr. Perez informed Council that the average Leon Valley resident is currently paying \$14.16 per home for twice weekly trash pickup and once a week recycling pickup. He stated that approximately 1000 residents are also paying an additional \$4.00 per month for a 95 gallon trash container. He stated that Waste Management could provide two 95-gallon carts (one for recycling and one for trash) and go to once per week pickups for both trash and recycling for a monthly charge of \$15.89. With that change, he stated that almost 1000 residents would see a decrease in their monthly garbage service fees. Mr. Perez stated that everyone would be notified by Waste Management either by mail or a telephone call blast to all residents. Mr. Perez stated that Waste Management just started one recycling and one trash pickup per week in Hollywood Park and the City of San Antonio has been doing this for over a year now.

Council discussed their concerns that the majority of Waste Management residential customers in Leon Valley would consider this change as one that provides less service for more money because only 1000 of the customers already pay to use the 95 gallon carts. Council agreed that a survey should be done first to determine if Leon Valley residents would agree to having 95-gallon containers provided by Waste Management - one for trash pickup once each week and one container for recyclable materials to be picked up once per week for \$15.89 per month. Mr. Perez could not answer questions from Council about dates of pickup or how many trips the new program would save and thus save fuel, road use and air pollution. He also stated that exceptions to using the two large bins could be made for cases that could not use the larger trash receptacle.

Consensus was that a survey be done first to see if the residents would agree to this new program before any decision being made to change the contract with Waste Management. The City Manager summarized the questions that were discussed and stated that he didn't think the City could sell a price increase even with larger containers where residents would pay a higher cost and have fewer trash pickup days.

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**Discussion on merits of placing the permit number on the literature being used by door-to-door solicitors (Councilman Reyna/Chief Wallace).**

Councilman Reyna asked how residents know if the vendor who is placing notices on their door has a permit and should all vendor ads be required to have the Leon Valley peddler's permit number affixed to it. Chief Wallace stated that when the Police Department is notified that someone is soliciting in the neighborhoods, the practice has been for the Police Department to contact the vendor and explain Leon Valley's regulations. He reported that following that contact, usually the problem is corrected. Chief Wallace informed Council that the Department issues about five -six permits per year and has not had a problem with peddlers either applying for a permit or ceasing the activity when contacted.

Councilman Reyna asked that no further action be considered on this matter.

**Discussion on joint VIA Metropolitan Transit and the Alamo RMA meeting of February 5, 2009 (Mayor Riley).**

Mayor Riley reported that VIA Board of Trustees member, Hank Brummett, had contacted her about a joint meeting of the Alamo RMA and VIA Metropolitan Transit during which consolidation of transportation functions were discussed. She reported on the February 5, 2009 meeting and stated that there were still several questions to be answered. Mayor Riley reported that she would bring the matter to the attention of the other Greater Bexar County Council of Cities' Mayors. The City Manager also provided information on the proposed consolidation and how that may affect VIA.

**City Manager's report.**

**A. Financial Report for the Month of January 2009**

City Manager Lambert reported that revenue from sales tax was still lower than expected, and he also reported that revenue from licenses, permits, fees and fines was also lower than FY 2008. He reported that hotel occupancy tax revenue was down \$9,000 so far this year, but the conference center rentals continue to do well. With no Trade and Market Days until March 14, 2009, Mr. Lambert only reported that some advertising has been done in anticipation of that date, but there was no revenue to report and not other expenses to report.

**B. Report on Community Leadership program - Feb. 11, 2009**

Mr. Lambert reported that three residents: Rudy Garcia, Nancy Marin and Tom Garza attended a day-long leadership course given by all departments and he reported that the participants will receive their Certificates in early April, after they attend the Zoning Commission Meeting in late March. He also reported that the attendees appreciated the information and Mr. Lambert recommended that the program continue to be offered annually.

**C. Report on Vista Del Rey Fire from Feb. 12, 2009**

Videotaped scenes from the February 12, 2009 fire at the Vista Del Rey Apartment complex were viewed. Chiefs Wallace and Irwin provided information on the support provided by the San Antonio Fire Department to keep this fire from spreading. They

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reported no injuries, except minor injury to one firefighter. Chief Irwin reported it appeared that the fire was accidental.

**Citizens to be heard.**

Resident Gail Nelson addressed Council to report that his son, Travis, would be serving as a Senate Page on February 23, 2009. He also reported that he and his spouse, Councilwoman Nelson, will celebrate 17 years of marriage on February 22, 2009. Everyone congratulated the family's good news.

Resident Al Uvietta reported that he agreed to serve as the City's liaison for the Texas Roundup program. He also complimented members of the Northwest Little League who had cut a trail on the rim of the creek by their property for the Volksmarchers to use on March 14, 2009. He publically recognized the efforts of Park Commissioner Bill Cooper who had assisted with tracking the route of 6.2 miles for the Volksmarch.

Resident Rudy Garcia addressed Council asking that when improvements are considered to renovate the Conference Center, that additional audio-visual equipment be added to the list of things to be funded. He also recommended a fence or screening between the back of the Conference Center and the adjacent cemetery lots. Mr. Garcia asked Council what would be the advantage to the City and citizens to have larger containers for garbage, less service and more cost from Waste Management and he stated that he welcomed the survey to all citizens before any decision is made.

Resident Pedro Esquivel addressed Council stating his opposition to the change in the current Waste Management services and stated that he would not recycle anymore if he was forced to move to a large 95-gallon container.

Resident Pete West addressed Council stating that Waste Management receives revenue for the recycled items and he didn't hear any discussion on that. Councilman Reyna stated Waste Management splits any revenue received from recyclables with the City.

Resident Nancy Marin reported that her 85-year old mother has a driveway with an incline and it is too difficult to move a large wheeled trash receptacle for her; therefore, she was not in favor of the entire city converting to changes discussed earlier in the meeting with Waste Management.

**Announcements.**

**A. Report on TML Elected Officials Training and Legislative Update meetings Feb. 6 - 9, 2009**

Councilmembers Nelson and Reyna reported on the Texas Municipal League's training earlier in the month. Mayor Riley also attended the update and training. She reported that she and the City Manager met with state representatives to discuss issues important to Leon Valley while in Austin.

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**B. Workshop to review SDAT Recommendations - March 7, 2009**

Mayor Riley reminded everyone of the special Council workshop meeting to be held on Saturday, March 7, 2009 from 8:30 a.m. - 12:30 p.m. at City Hall. She encouraged the public to attend to learn more about the SDAT recommendations and to help plan how to move forward with that plan.

**C. Volksmarch and Trade and Market Day Event update**

Reminders were given on the March 14, 2009 Trade and Market Day, the first one for the 2009 year, and for the City's first Volksmarch. Mayor Riley reminded everyone that "The Sauerkrauts" will be entertaining at those events.

**D. MPO Mobility 2035 Plan Workshop Schedules - Leon Valley Feb 24, 2009 6:30 - 8:30 at the Community Center**

Mayor Riley announced the meeting time and encouraged everyone's attendance to discuss transportation issues important to the area.

**E. Meeting of Mayors with Edwards Aquifer Authority on Feb. 20, 2009 at 10 am to discuss challenges of managing water resources**

Mayor Riley announced that she will be attending a meeting on February 20, 2009 to discuss water resource management challenges ahead.

**F. Volunteer Appreciation Event - April 2009**

Mayor Riley announced that the Annual Volunteer Appreciation Event, where all the members of commission, boards, and committees who have been appointed this year by Council would be recognized. She announced the event is scheduled for Wednesday, April 29, 2009 and she announced that Ricardo Ruiz from Cha Cha's will again be catering this event.

**G. Election Update**

City Secretary Feutz announced that the drawing for place on the ballot will be held at 5:15 p.m. on March 9, 2009 in the Council Chambers following the close of the time allowed for individuals to file an application to have their name appear on the ballot for the May 9, 2009 General Election.

**Convene into executive session in accordance with the Texas Government Code, Section 551.072 "Deliberations about Real Property" to discuss land acquisition options for park expansion.**

Mayor Riley announced that Council would convene into executive session in accordance with the Texas Government Code, Section 551.072 "Deliberations about Real Property" to discuss land acquisition options for park expansion at 8:20 p.m.

**Reconvene into open session and consider discussion and any action as appropriate from executive session.**

Mayor Riley announced that Council was reconvened into open session at 8:42 p.m. and no action was being taken.

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**Adjourn.**

Hearing no further business, a motion was made by Councilman Reyna, seconded by Councilmember Baldrige, to adjourn the meeting. Hearing no objections, Mayor Riley announced the meeting adjourned at 8:43 p.m.

ATTEST:

Chris Riley  
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Mayor

Marie Feutz  
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City Secretary

*Minutes approved by majority vote of City Council at the Regular City Council Meeting of March 3, 2009*